



August 31, 2011

Via Facsimile to:
Status & Entity Branch, Office of Finance at 571-273-6500

**Re: Correcting Error in Small Entity Status Under 376 CFR 1.28
Patent No. 7,107,230 (Application No. 09/677,095)
Our Reference: KASH-2010010**

To the Commissioner:

This application was filed and properly designated as a small entity on September 29, 2000. The application was assigned to a large entity October 1, 2001, but the entity status was inadvertently not updated via Entity Status Change Form. The application was then again assigned to a small entity February 18, 2010.

Certain fees incurred during the period between October 1, 2001 and February 18, 2010 were, however, paid as a large entity:

1. A 1-mo. extension of time fee of \$120 (large entity rate) was paid June 8, 2003: no deficiency needs to be made up.
2. A Terminal Disclaimer fee of \$110 (large entity rate) was paid June 5, 2005; no deficiency needs to be made up.
3. An IDS fee of \$180 was paid September 20, 2005; there is no small entity adjustment for filing an IDS; therefore, no deficiency needs to be made up.

The application was allowed on December 29, 2005; the Issue Fee Payment form quoted the small entity issue fee amount of \$700. Applicant paid the quoted fee of \$700. The failure to pay the large entity fee was a clerical oversight; Applicant did not intend to defraud or deceive the USPTO. **Applicant now submits payment of the deficiency, calculated as the difference between the small entity issue fee of \$700 paid February 22, 2006 and the current large entity issue fee of \$1,510, for a total payment of \$810.**

By the time the first maintenance fee was due in March 2010, the patent had been assigned to a small entity. The first maintenance fee was properly paid at small entity rates; therefore, no deficiency needs to be made up.

A credit card payment form is attached hereto. Please charge any deficiencies in payment or credit any overpayment of fees to Deposit Account No. 504051.

Sincerely,

/Adam L.K. Philipp/

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